

**KAHN BANI SA'AD
CORRECTIONAL FACILITY
KAHN BANI SA'AD, IRAQ**



**SIGIR PA-08-138
JULY 25, 2008**

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SPECIAL INSPECTOR GENERAL FOR IRAQ RECONSTRUCTION

July 25, 2008

MEMORANDUM FOR COMMANDING GENERAL, MULTI-NATIONAL FORCE-IRAQ
COMMANDING GENERAL, MULTI-NATIONAL SECURITY
TRANSITION COMMAND-IRAQ
COMMANDING GENERAL, JOINT CONTRACTING COMMAND-
IRAQ/AFGHANISTAN
COMMANDING GENERAL, GULF REGION DIVISION, U.S.
ARMY CORPS OF ENGINEERS
DIRECTOR, IRAQ TRANSITION ASSISTANCE OFFICE

SUBJECT: Report on Construction of the Kahn Bani Sa'ad Correctional Facility, Kahn Bani Sa'ad, Iraq (Report Number SIGIR PA-08-138)

The Office of the Special Inspector General for Iraq Reconstruction is assessing projects funded by the Iraq Relief and Reconstruction Fund to provide real-time relief and reconstruction information to interested parties to enable appropriate action, when warranted.

We are providing this report for your information and use. It addresses the current status of the Kahn Bani Sa'ad Correctional Facility, Kahn Bani Sa'ad, Iraq and whether intended objectives will be achieved.

SIGIR received comments on a draft of this report from the U.S. Mission-Iraq concurring with the recommendation. SIGIR also received comments from Multi-National Security Transition Command-Iraq that were sent through the Multi-National Force-Iraq concurring with the report and recommendation but requested that the Commanding General, Multi-National Force-Iraq instead of the Commanding General, Multi-National Security Transition Command-Iraq and the Director of the Iraq Transition Assistance Office work with the Government of Iraq and the Diyala Provincial Government to identify an Iraqi ministry or element of the Diyala Provincial Government that can make use of the facility. The Office of the Special Inspector General for Iraq Reconstruction concurred with the management comments and changed the recommendations of the final report accordingly.

We appreciate the courtesies extended to our staff. If you have any questions please contact Mr. Brian M. Flynn at brian.flynn@sigir.mil or at 914-360-0607. For public queries concerning this report, please contact SIGIR Public Affairs at publicaffairs@sigir.mil or at 703-428-1100.

Stuart W. Bowen, Jr.
Inspector General

Special Inspector General for Iraq Reconstruction

SIGIR PA-08-138

July 25, 2008

Kahn Bani Sa'ad Correctional Facility, Kahn Bani Sa'ad, Iraq

Synopsis

Introduction. This project assessment was originally initiated to support the Special Inspector General for Iraq Reconstruction's focused financial review of work performed by Parsons Delaware Incorporated (SIGIR Audit Number 8006, "Outcome, Cost, and Oversight of the Security and Justice Contract with Parsons Delaware, Inc."). One of Parsons' projects was the Kahn Bani Sa'ad Correctional Facility, a \$40 million effort that the U.S. government ultimately terminated for default on the part of Parsons in June 2006.

When the project was terminated, Parsons had only partially completed the facility; subsequently, the U.S. government awarded three successive contracts to complete the work. In June 2007, however, citing security issues, the U. S. government terminated all remaining work on the project and left more than \$1.2 million in materials at the site. SIGIR visited the Kahn Bani Sa'ad Correctional Facility project site to verify the current status and the condition of the material. SIGIR conducted this project assessment in accordance with the Quality Standards for Inspections issued by the President's Council on Integrity and Efficiency. The assessment team included a professional engineer/inspector and two auditors/inspectors.

Project Objective. The objective of the original task order was to increase the number of beds of the Iraqi Corrections Service for the Iraqi Ministry of Justice. The task order would result in the construction of a new secure prison facility to house 3,600 inmates in three types of facilities. The project was designed for phased construction; Phase 1 required the construction of 1,800 beds.

Project Assessment Objectives. The objective of this project assessment was to provide real-time information on relief and reconstruction projects to interested parties to enable appropriate action, when warranted. Specifically, SIGIR identified the actions taken since the project was turned over to the Government of Iraq and the current condition of the project.

Site Visit

On June 14, 2008, SIGIR performed an on-site assessment of the Kahn Bani Sa'ad Correctional Facility project. When SIGIR visited the site, the facility was neither secured nor occupied by the Government of Iraq. SIGIR confirmed that the facility remains in the same condition it was in when it was unilaterally transferred to the Government of Iraq on 1 August 2007.

In May 2007, an engineering assessment company inspected the partially completed facility and reported many construction deficiencies in its report to the U.S. Army Corps

of Engineers. During the site visit, SIGIR confirmed these construction deficiencies. Specifically, SIGIR observed:

- areas of severe exposure of the reinforcement bar on the surface of the load-bearing concrete ceiling beams
- concrete segregation and honeycombing
- potentially dangerous building columns
- generally poor workmanship

SIGIR inspected the entire Kahn Bani Sa'ad Correctional Facility site in search of the \$1.2 million in materials that the contractor reported as “abandoned” when the contract was terminated. SIGIR observed several stacks of cement blocks and several dozen rolls of chain-link fence; however, most of the reported materials were missing from the site.

Conclusions. The assessment reviewed the original work of Parsons and the work of the three additional contracts awarded to continue construction of the correctional facility—including rehabilitating the Kahn Bani Sa'ad electrical substation and installing an underground cable feeder line.

Structural Deficiencies

In May 2007, a local engineering assessment company performed a structural assessment and repair plan for the partially constructed Kahn Bani Sa'ad Correctional Facility. According to U.S. Army Corps of Engineers documentation, the facility had “numerous deficiencies in construction to include, but not limited to, poorly mixed concrete, insufficient cover over reinforcement, cracking, and poor concrete placement.”

The structural assessment found significant construction deficiencies in several buildings, including three medium-security buildings, one maximum-security building, and one prisoner-segregation building:

- In the medium-security buildings, SIGIR found low concrete strength in many columns and concrete slabs with insufficient thickness.
- The maximum security and prisoner segregation buildings had low concrete strength with respect to the concrete block walls, and no reinforcement bar was used in many parts of the wall.
- The structural assessment recommended demolishing one medium-security building and significant portions of the other two medium-security buildings, as well as demolishing all non-reinforced walls.

Turnover of the Correctional Facility

In June 2007, the U.S. government terminated the follow-on contractor and authorized leaving more than \$1.2 million worth of materials at the site. According to U.S. Army Corps of Engineers documentation, representatives met with and notified the Deputy Ministry of Justice of the turnover of the Kahn Bani Sa'ad Correctional Facility to the Ministry of Justice and to discuss the planned use of the facility before the turnover. The deputy minister stated that the Ministry of Justice had no plans to “complete, occupy, or provide security for this facility.” The U.S. Army Corps of Engineers concluded that “subsequent to 1 August 2007, Kahn Bani Sa'ad will be under the ownership of the Government of Iraq and will no longer be secured.”

Potential Uses for the Facility

SIGIR believes that effort should be made by the U.S. and Iraqi governments to make use of the \$40 million investment that the U.S. government has made in the Kahn Bani Sa'ad Corrections Facility. Costly portions of the facility are functioning, and with additional investment, other portions could also be used.

Recommendations. SIGIR recommends that the Commanding General of the Multi National Force-Iraq and the Director of the Iraq Transition Assistance Office work with the Government of Iraq and the Diyala Provincial Government to identify an Iraqi ministry or element of the Diyala Provincial Government that can make use of the facility.

Management Comments. SIGIR received comments on a draft of this report from the U.S. Mission-Iraq concurring with the recommendation. SIGIR also received comments from Multi-National Security Transition Command-Iraq that were sent through the Multi-National Force-Iraq concurring with the report and recommendation but requested that the Commanding General, Multi-National Force-Iraq instead of the Commanding General, Multi-National Security Transition Command-Iraq and the Director of the Iraq Transition Assistance Office work with the Government of Iraq and the Diyala Provincial Government to identify an Iraqi ministry or element of the Diyala Provincial Government that can make use of the facility. The Office of the Special Inspector General for Iraq Reconstruction concurred with the management comments and changed the recommendations of the final report accordingly.

Evaluation of Management Comments. SIGIR concurred with the management comments and changed the recommendations of the final report accordingly.

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Introduction

Background

Condition of Iraqi Prisons Prior to Second Gulf War

Prior to the second Gulf War, years of neglect led to a deteriorated prison infrastructure. Prisons previously used for Iraqi maximum security were suitable for no more than medium security by international standards. The prison facilities in the Diyala region were damaged during the war and looted and vandalized following the war.

Kahn Bani Sa'ad Correctional Facility Contracts

In order to address the unacceptable conditions of the Diyala's correctional facilities, the Coalition Provisional Authority (CPA) decided to increase the overall bed count of the Iraqi Corrections Service for the Iraqi Ministry of Justice (MoJ) through the construction of a new secure prison facility to house a total of 3,600 inmates in three types of facilities. The facilities are male segregation, male maximum, and male medium units. The original estimated cost was approximately \$80,700,000.

In May 2004, the CPA awarded Task Order (TO) 0007 of contract W914NS-04-D-0009 to Parsons Delaware, Incorporated (Parsons). The project was designed for phased construction. Phase 1 required the construction of 1,800 beds, including the following:

- segregation housing unit (1 unit at 200 inmate beds)
- maximum housing unit (1 unit at 400 inmate beds)
- medium housing unit (3 units at 400 inmate beds each)
- visitation block for each of the above units
- security administration
- administration and entry
- educational/vocational areas for the initial phase

Parsons designed the Kahn Bani Sa'ad (KBS) Correctional Facility with living accommodation zones arranged as mirror images of each other, which reflects the two phases required for the project (Figure 1).

TO 0007 had a projected start date of 12 May 2004 and a required completion date of 12 November 2005. The TO was definitized on 11 August 2004, in the amount of \$72,934,413; however, construction did not begin until November 2004. On 16 June 2006, the U.S. government notified Parsons that it had would terminate TO 0007 for default. Specifically, the letter stated:

"The evidence of Parsons' failures is the reasons presented for not making sufficient progress on the project. Parsons' has endangered completion both by continued schedule slips and by incurring massive cost overruns that cannot be sustained by the Government. The circumstances that have caused the vast majority of the schedule slips have, in fact, been within Parsons' control. Parsons received an award fee of 0% on this project in the most recent 6-month evaluation period, attributable in large part to poor management of the project leading to lack of construction progress."

The U.S. government's termination for default came after Parsons provided a Notification of Limitation of Cost letter, which placed a new project completion date of September 2008. According to the U.S. Army Corps of Engineers (USACE), this

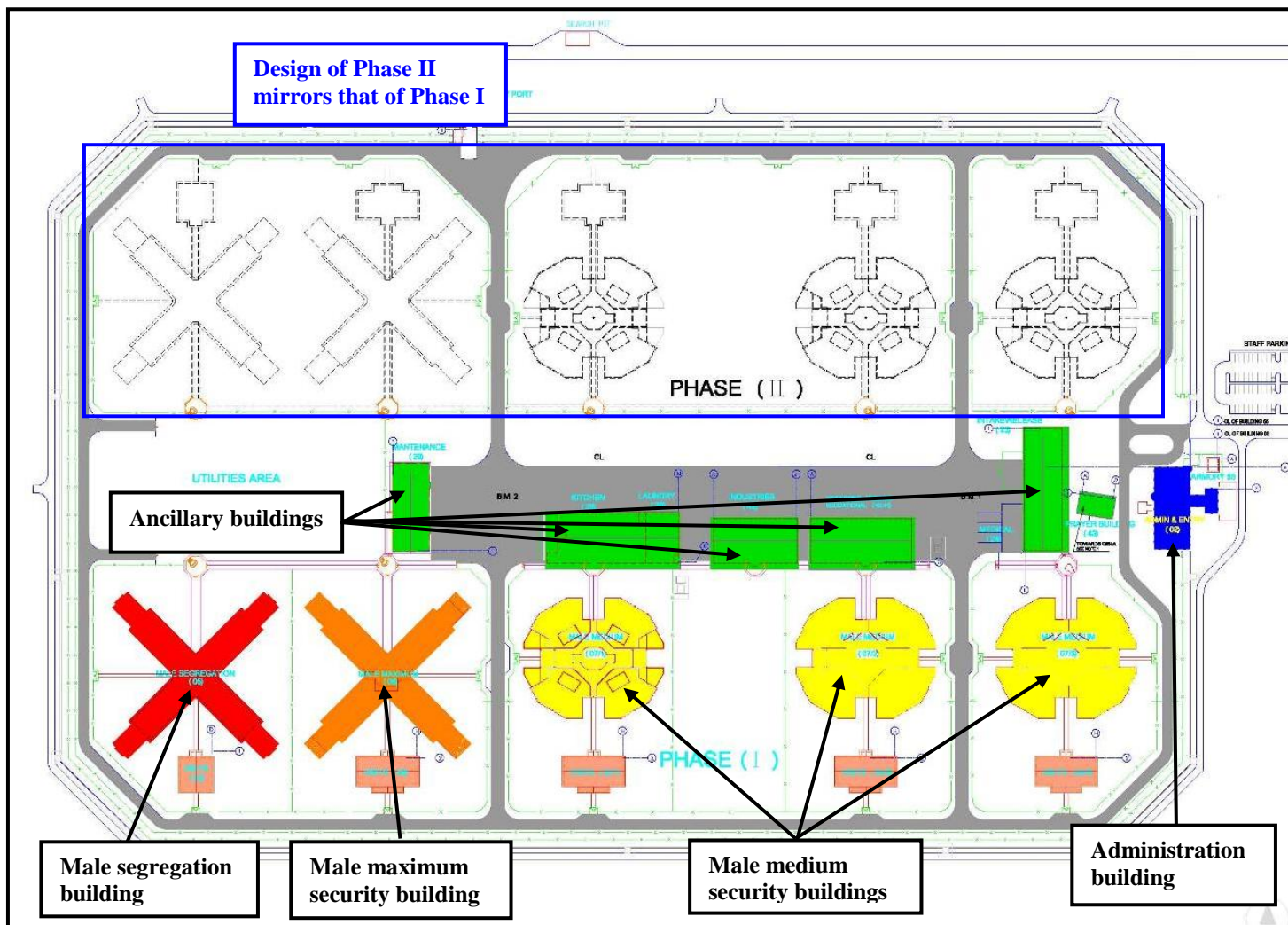


Figure 1. KBS Correctional Facility site plan

represented an “untenable 990 day schedule slippage from the schedule recovery plan [Parsons] submitted on 27 Feb in response to the Government’s 17 Feb letter of concern.” At the time of termination, Parsons had only partially completed the required correctional facility (Site Photos 1 and 2).

After terminating Parsons, the U.S. government believed the KBS Correctional Facility was “still required by [the] Iraqi Ministry of Justice,” and awarded Contract W91GXZ-06-C-0019, a firm fixed price bridge contract, to Parsons’ subcontractor to continue construction of the facility. The intent of the bridge contract was to continue construction as an interim between the Parsons contract termination and re-awarding the construction completion. Specifically, the focus was the completion of the prefabricated buildings, essential concrete pours for the superstructures, masonry work, and facility systems. The bridge contract was awarded on 19 June 2006 with a fixed period contract in the amount of \$ 3,299,983, which ended on 15 September 2006. When the contract was completed in September 2006, the contractor had finished the concrete pours and other miscellaneous work (Site Photo 3); however, the project was not complete.

In an effort to complete this project, the U.S. government awarded two other contracts in September 2006. A follow-on contract, in the amount of \$42,467,440, was awarded on

15 September 2006, to a local contractor to continue construction on the KBS Correctional Facility; while an electrical contract was awarded on 19 September 2006, in the amount of \$1,644,900, to Secure Global Engineering, to rehabilitate the existing KBS substation and install and commission an underground cable feeder line.



Site Photo 1. Status of construction at the time of Parsons' termination (Courtesy of the USACE)



Site Photo 2. Status of construction at the time of Parsons' termination (Courtesy of the USACE)

The follow-on contract was specifically to “complete construction of the maximum/medium security prison facility.” In January 2007, the local follow-on contractor provided a report documenting “62 latent defects of various scope resulting from work performed under [the] original contract.” In March 2007, the U.S. government notified the local follow-on contractor of items the contractor had failed to deliver in accordance with the terms of the follow-on contract. In addition, in March 2007, the USACE proposed a 45 day period to “assess three evaluation factors critical to the success” of KBS Correctional Facility construction. The contractor was instructed to halt building construction while structural assessment was performed. On

30 June 2007, the U.S. government informed the contractor that the contract was “terminated partially for the Government’s convenience...” At the time of termination, the follow-on contractor had partially completed the prefabricated facilities (Site Photo 4); however, the project was not complete.



Site Photo 3. Status of project at the end of the bridge contract (Courtesy of the USACE)



Site Photo 4. Status of construction at the time of the follow-on contractor’s termination (Courtesy of the USACE)

Status of Kahn Bani Sa'ad Correctional Facility 2007

When the U.S. government terminated the follow-on contract in June 2007, the total expended on the KBS Correctional Facility was approximately \$40 million and the project was reported as approximately 52% complete. In addition, the structural assessment of the contractors' construction identified significant deficiencies.

Work Completed

At the time of termination in June 2007, no building in the facility was 100% complete; instead multiple buildings were partially completed.

- One administration building had reinforced concrete work, which was essentially complete. The masonry work was started but was not complete. Specialty work, to include thermal and moisture protection and interior finishes were not completed.
- Three medium security buildings – each was at a similar level of progress. Some structural work completed; however, completion of the second and third floor areas and penthouses on the third floor roofs remain unfinished. Only a small amount of masonry and a limited amount of embedded electrical conduit was completed.
- One prisoner segregation building – same degree of completion as the medium security building.
- One maximum security building – same degree of completion as the medium security building.
- One kitchen/laundry building – the steel frame together with the metal skin were complete; and the inside brick walls were partially completed.
- One prison industries building – the steel frame together with the metal skin were complete; and the inside brick walls were partially completed.
- One intake/release and medical building – the steel frame together with the metal skin were complete; and the inside brick walls were partially completed.

Structural Deficiencies

In August 2006, the USACE notified the bridge contractor (Parsons' former subcontractor) of "deficiencies or non-compliance by your company." Specifically, concrete slab floors "not constructed as specified in the contract specifications" and "numerous cracks and voids throughout." In addition, the USACE identified that:

"many of the modular facility floor slabs were less than the desired thickness as outlined within the contract specifications and in some places the concrete slabs for the modular facility floors were half the required thickness. There are varying degrees of thickness for the modular facility concrete floor slabs. Additionally, the steel rebar mesh was incorrectly placed under the concrete instead of within the concrete as specified within the contract specifications."

In April 2007, the USACE contracted with a local engineering assessment company to perform a structural assessment and repair plan for the partially constructed KBS Correctional Facility. According to Gulf Region Division (GRD) documentation, the KBS Correctional Facility had "numerous deficiencies in construction to include, but not limited to, poorly mixed concrete, insufficient cover over reinforcement, cracking and poor concrete placement." The intent of the assessment was to provide sufficient technical information for the remediation of the project structural deficiencies and

determine repairs and replacement or the addition of structural members to adequately ensure building integrity.

The local engineering assessment company reviewed the design calculations for the primary building structural components, field changes, and contractor submittals of related components. In addition, a field survey of the site to catalogue project deficiencies related to concrete posts, columns, beams, roofs, and floor systems was conducted. Specifically, the local engineering assessment company took field measurements of critical component dimensions and locations to validate whether beams were constructed to the correct dimensions, spans, and locations. Further, the local engineering assessment company identified a minimum of 10 locations for concrete core samples to assess the comprehensive strength, shear, constituent quality, and reinforcement evaluation.

Results of the Structural Assessment

Administration building – concrete structures were in good condition, with the concrete strength of all structural elements over the design requirements.

Medium security building (Building No. 07/03):

1. Ground floor columns were tested with a Schmidt hammer device (measures the elastic properties or strength of concrete or rock) and many columns showed low strength, which were tested further using an ultrasonic device and again showed low strength.
2. First floor slab – two concrete cores were extracted from the first floor slab. Both cores were cracked and broke into pieces indicating extremely low strength (Site Photo 5). The thickness of the cores was less than 100 millimeters (mm), which is less than the design thickness of 150-mm.



Site Photo 5. Concrete core sample that cracked, indicating extremely low strength (Courtesy of the USACE)

3. First floor columns – Schmidt hammer and ultrasonic tests were conducted on all the first floor columns. The test results showed the strength of a large number of these columns was below the required design strength.
4. Second floor slab – two concrete cores were extracted from the second floor slab. The thickness of these cores was less than 100-mm, which is less than the design thickness of 150-mm.

Medium security buildings (Building Nos. 07/02 and 07/01):

1. Ground floor columns – Using a Schmidt hammer device, very few columns showed low strength. Further study and redesign calculation is required for a final decision about the appropriate remedial measures to be taken.
2. First floor slab – the thickness of the concrete cores was at least 150-mm, and in some cases, higher than the required design strength.
3. First floor columns – the strength of the columns was higher than the required design.
4. Second floor slab – the thickness of the two selected concrete cores was less than 100-mm, which is less than the design thickness of 150-mm (Site Photo 6).



Site Photo 6. Measurement of a concrete core sample – design requirements specified at least 150-mm thickness; however, this sample was approximately 80-mm (Courtesy of the USACE)

Prisoner segregation building, maximum security building, kitchen/laundry building, industries building, and intake/release and medical building:

The main problem with these buildings was the concrete block walls. The Schmidt hammer and ultrasonic tests on the concrete blocks showed low strength. In addition, the construction quality was very poor. Further, there was no reinforcement in many parts of the walls. The lack of reinforcement in the walls was confirmed by the use of a steel bar detector device.

Recommendations for the Kahn Bani Sa'ad Correctional Facility

After completing a thorough review of the KBS Correctional Facility, the local engineering assessment company developed the following five recommendations:

1. The structural concrete of the Administration Building is in good condition and no additional work is necessary.
2. Demolish Medium Security Building No. 07/03 part B completely. The existing concrete strength is in very poor condition and needs to be replaced completely.
3. Demolish the roof slab part B of Medium Security Buildings Nos. 07/02 and 07/01 completely. The existing concrete is in very poor condition and needs to be replaced completely.
4. Some structural elements of Medium Security Buildings Nos. 07/02 and 07/01 are in poor condition and need further study and structural analysis to find the appropriate remedial measures.
5. The structural elements of the other various buildings are in good condition except for the concrete block walls (including Medium Security Buildings Nos. 07/02 and 07/01), which were constructed without reinforcement. All non-reinforced walls should be demolished and reconstructed with the required reinforcement.

Kahn Bani Sa'ad Correctional Facility transferred to the Government of Iraq

After terminating the follow-on contractor in June 2007, the contractor was still legally responsible for site security until 31 July 2007. According to USACE documentation, the USACE met with and notified the Iraqi Deputy MoJ of the turnover of the KBS Correctional Facility to the MoJ on 1 August 2007, and to discuss the planned use of the facility subsequent to turnover. The Deputy Minister stated that the MoJ had no plans to “complete, occupy, or provide security for this facility.” The USACE concluded that “subsequent to 1 August 2007, Khan [sic] Bani Sa'ad will be under the ownership of the Government of Iraq and will no longer be secured.”¹

According to GRD documentation, the termination of the KBS Correctional Facility project “resulted in a significant quantity of unused materials being left on the site.” GRD stated it “exhausted every conceivable source in trying to find someone with the equipment and manpower to package the loose material and load it along with four containers for transport.” The primary reason cited was the level of security for this operation. Consequently, the decision was made to leave the material, valued at more than \$1.2 million², at the site, which after 31 July 2007 would not be secured by either the terminated contractor or the Government of Iraq (GoI).

¹ To see the document in its entirety, see Appendix B.

² For the complete list of materials left at the KBS Correctional Facility site, see Appendix C.

Role of Security in the Project's Failure

It is difficult to identify the exact role of security on the ultimate failure of this project. There seemed to be some agreement between the U.S. government and all contractors associated with the project that security, at times, was tenuous. For example, in August 2005, the site manager for one of Parsons' subcontractors was shot and killed in his office. Parsons argued that the U.S. government misrepresented that there would be a permissive, benign environment for Parsons to work. Parsons claimed that on an almost daily basis, its subcontractors faced security threats that either shut down work or curtailed performance.

The U.S. government denied these allegations. The U.S. government stated that there was no mention of a permissive or benign environment in Parsons' base contract or task order. Further, the U.S. government argued that Parsons' proposal stated that they understood the security environment. Regarding Parsons' claims of daily threats, the U.S. government countered with the fact Parsons submitted only infrequent reports of security threats. For example, according to the USACE, the "record shows that Parsons Schedule Delay Request (SDR) log reflects an accumulation of only seven days of requests due to ongoing violence...Only seven days have been beyond the control and without the fault or negligence of the contractor." In addition, the U.S. government compiled a chart identifying the effects of violent incidents on the number of subcontractor personnel showing up for work. According to the chart,

"for every violent incident that led to a schedule delay request, Parsons sustained an increase in personnel immediately following the incident. In some cases, Parsons had a record setting number of employees return to work. This fact clearly refutes the Parsons claim that sustained violence hampered their subcontractor."

The U.S. government ultimately decided to terminate Parsons' contract because it determined that "Parsons' failure to perform under this task order is undeniable...." Specifically, the U.S. government stated that "Parsons provided inadequate field oversight as the design build contractor. Its 'hands off' approach to monitoring construction is instrumental in its imminent failure...Parsons failure to perform has been a systemic issue related to management of the project."

The follow-on contractor also complained of security issues. However, the U.S. government responded that the "Iraqi Army Battalion Commander, with concurrence of the Coalition, do not feel that security is an issue around the prison."

The absence of a dedicated and aggressive contractor and government quality management program resulted in the significant construction deficiencies identified in the structural assessment. On-site quality management personnel should have identified the problems revealed by the local engineering assessment company as they occurred and taken prompt corrective action.

Objective of the Project Assessment

The objective of this project assessment was to provide real-time relief and reconstruction project information to interested parties to enable appropriate action, when warranted. Specifically, SIGIR determined the actions taken since transition of the project to the Government of Iraq and the current condition of the project.

Pre-Site Assessment Background

Contract, Task Order, and Costs

The KBS Correctional Facility project was partially completed under Contract W914NS-04-D-0009, dated 26 March 2004, as a cost plus award fee for the base period. The contract was between the CPA and Parsons. The guaranteed minimum of all TOs under Contract W914NS-04-D-0009, including option periods, was \$500,000 and the maximum total of all TOs under the contract was \$900,000,000.

There was one TO associated with this particular project – TO 0007, which was signed on 14 May 2004, in the amount of \$40,497,030.

At the time this project was turned over to the GoI, three additional contracts were awarded in addition to the original Parsons contract for the construction of the KBS Correctional Facility. A comprehensive review of the entire project from a contracting standpoint will be presented in the report on SIGIR Audit Number 8006, “Outcome, Cost, and Oversight of the Security and Justice Contract with Parsons Delaware, Inc.”

Project Objective

The objective of the original TO 0007 was to increase the overall bed count of the Iraqi Corrections Service for the Iraqi MoJ through the construction of a new secure prison facility to house a total of 3,600 inmates in three types of facilities. The project was designed for phased construction, with Phase 1 requiring the construction of 1,800 beds. Phase II was to mirror Phase I and provide for an additional 1,800 beds. Phase II was never exercised.

Description of the Facility (preconstruction)

The description of the facility (preconstruction) was based on information obtained from the contract, the USACE project file, and Parsons’ documentation. The town of Kahn Bani Sa’ad is located in the Diyala Province in a fertile, agricultural area in central Iraq, northeast of the city of Baghdad and close to the towns of Baqubah and Al Khalis. The KBS Correctional Facility project is located 3 kilometers south of Kahn Bani Sa’ad in a Sunni dominated area. The entire site will encompass approximately 550,000 square meters.

Scope of Work of the Contract

The scope of work for TO 0007 required the contractor to design and construct the KBS Correctional Facility. Specifically, Phase 1 required the construction of 1,800 beds, including the following:

- segregation housing unit (1 unit at 200 inmate beds)
- maximum housing unit (1 unit at 400 inmate beds)
- medium housing unit (3 units at 400 inmate beds each)
- visitation block for each of the above units
- security administration
- administration and entry
- educational/vocational areas for initial phase

Current Project Design and Specifications

The TO scope of work included requirements for the submission of all designs, design changes, drawings, specifications, manufacturer's submittals, training manuals and training procedures, quality control procedures, and safety, security and environmental protection procedures.

The scope of work required the contractor to conform to the following standards, codes, and regulations, where applicable, except where otherwise indicated. The contractor may propose equipment, material, and works that meet the intent of the publications listed here, provided documented justification requests for such alternates are submitted and approved by the Sector Program Management Office (SPMO).

The standards, codes, and regulations are the following:

- International Building Code (IBC)
- International Existing Building Code (IEBC)
- International Electro-Technical Committee (IEC)
- International Fire Code (IFC)
- International Plumbing Code (IPC)
- American Society for Testing and Materials (ASTM)
- National Fire Protection Agency (NFPA)
- Sheet Metal and Air Conditioning Contractor's National Society (SMACNA)
- Underwriters Laboratories (UL)

Site Assessment

On 14 June 2008, SIGIR performed an on-site assessment of the KBS Correctional Facility project. At the time of our site visit, the facility was not secured by the GoI or was it occupied and/or used.

Due to time limitations on site, SIGIR could not inspect each building. Therefore, SIGIR focused on specific buildings identified in the structural assessment as in need of repairs.

Since the project, when transferred to the GoI, was only partially complete and in some cases structurally unsound, we conducted the site visit to determine if the GoI had completed the project and whether any corrective actions were taken to remediate the structural concerns of some of the buildings.

Government of Iraq—Post-Turnover

Prior to the site visit, SIGIR reviewed all available documentation to determine the state of construction when the project was terminated and transferred to the GoI. Arriving at the site, SIGIR requested a slow driving tour around the exterior and interior perimeter of the facility. This provided a perspective of the large campus. This perspective together with SIGIR's detailed inspection of several of the buildings with reported problems disclosed that the GoI had taken no discernable actions to remedy the structural deficiencies or complete the facility.

SIGIR used the structural assessment report to identify the areas where structural issues were present. Specifically, the locations where the thickness of the concrete floor slabs

was significantly less than required by the contract designs (Figure 2 and Site Photos 7 and 8).

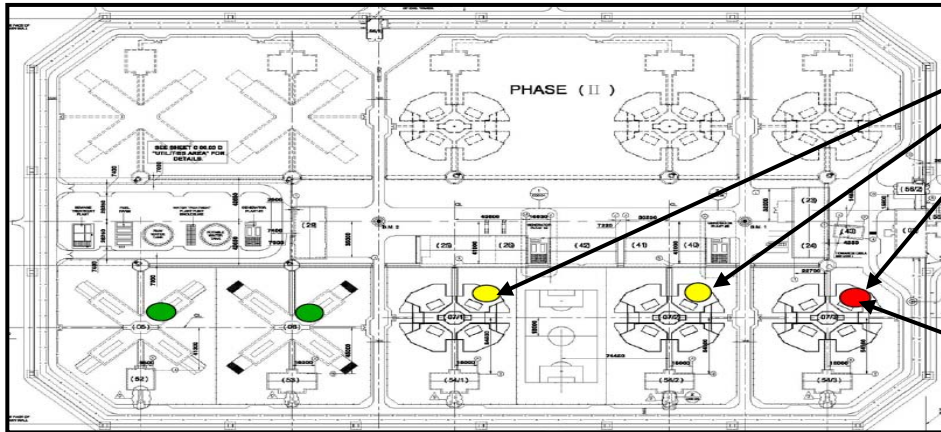


Figure 2. Locations of low concrete strength



Site Photo 7. Evidence of low concrete strength (Courtesy of the USACE)



Site Photo 8. Location of low concrete strength (Courtesy of the USACE)

Since the structural assessment recommended the demolition of one of the medium security buildings as well as the demolition of roof slabs and floor beams of others, SIGIR inspected the medium security buildings to observe the current status and determine if the GoI took any actions to correct the structural issues.

Medium Security Buildings

SIGIR found no evidence that the GoI took any corrective action with regards to the structural assessment's findings that specific concrete slabs were not the design-required thickness. For example, SIGIR inspected the still standing medium security building that the structural assessment recommended be demolished (Site Photo 9). In addition, SIGIR inspected the two remaining medium security buildings to determine if any corrective action was taken. Specifically, the structural assessment found the concrete strength of the roof slabs in both buildings to be in "very poor condition" and in need of replacement. SIGIR confirmed the roof slabs were not corrected (Site Photos 10 and 11). Consequently, the three medium security buildings continue to pose significant structural concerns for the GoI.



Site Photo 9. Still standing medium security building that the structural assessment recommended be demolished



Site Photo 10. Medium security building that structural assessment recommended replacing



Site Photo 11. Roof from medium security building

Prisoner Segregation and Maximum Security Buildings

Due to time constraints, SIGIR could not inspect all buildings diagnosed with a lack of reinforcement bar, low strength of concrete blocks, and poor quality construction. SIGIR toured the maximum security building (Site Photo 12) and observed that the assessment's recommendation to demolish all un-reinforced walls and reconstruct with appropriate reinforcement was not accomplished.



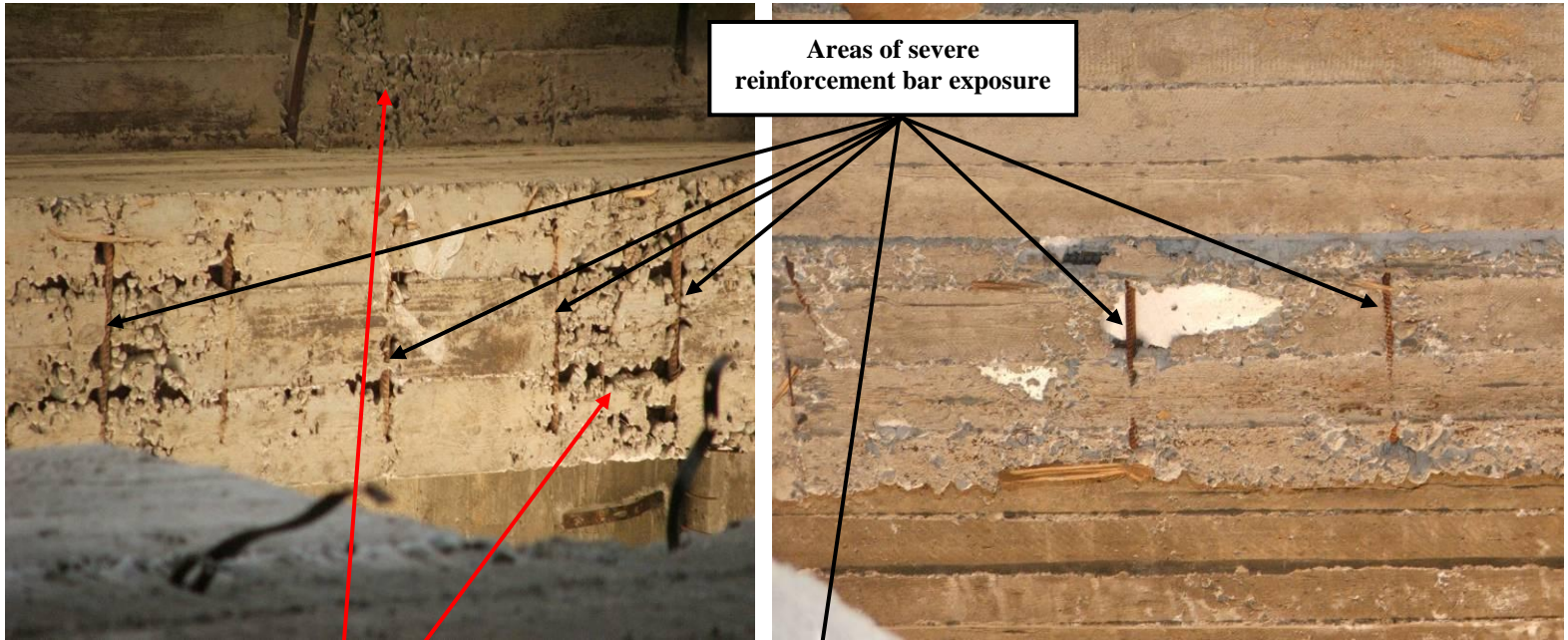
Site Photo 12. Exterior view of the maximum security building – no corrective action had been taken by the GoI

Additional Construction Concerns

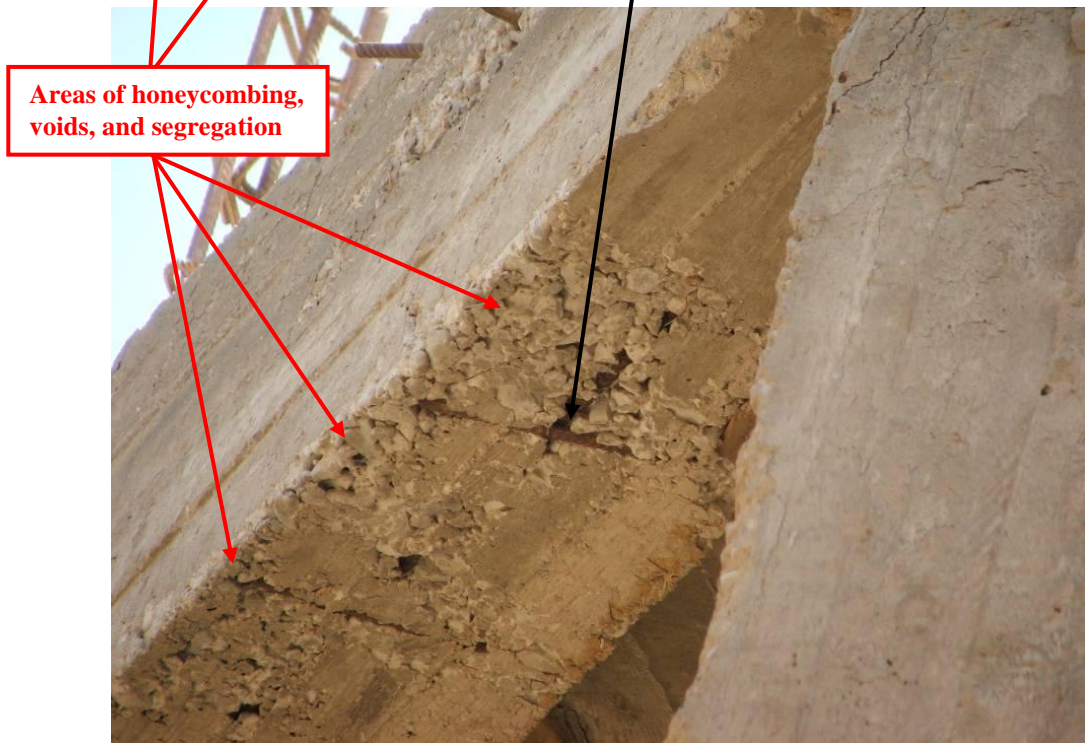
During the course of the inspection, SIGIR identified numerous significant construction deficiencies within the partially completed structures. Specifically, the following deficiencies were observed:

- areas of severe reinforcement bar exposure on the surface of the load-bearing reinforced concrete ceiling beams (Site Photos 13 and 14)
- areas of severe concrete segregation and honeycombing (Site Photo 15)
- potentially dangerous building columns (Site Photos 16-18)
- poor quality brick workmanship (Site Photo 19)

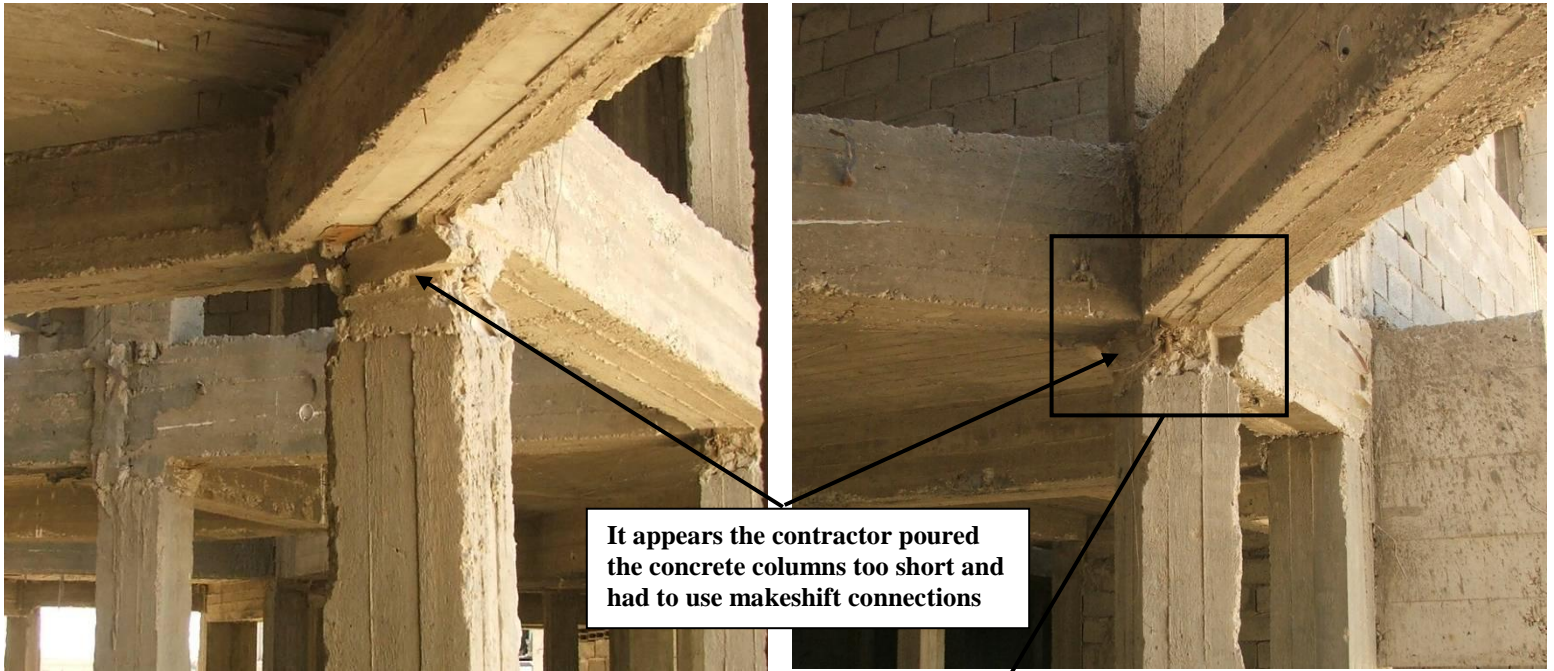
If the GoI plans to use this facility in the future, SIGIR concludes these deficiencies (along with the others previously noted) require attention.



Site Photos 13 and 14. Severe reinforcement bar exposure on the surface of load-bearing reinforced concrete ceiling beams



Site Photo 15. Example of severe concrete segregation and honeycombing



Site Photos 16 and 17. Dangerously constructed building columns



Site Photo 18. Close-up of Site Photo 17



Site Photo 19. Example of poor block laying

Current Status of Materials Left on Site

According to GRD documentation, in June 2007, the U.S. government terminated the follow-on contractor and authorized leaving more than \$1.2 million worth of materials at the site.

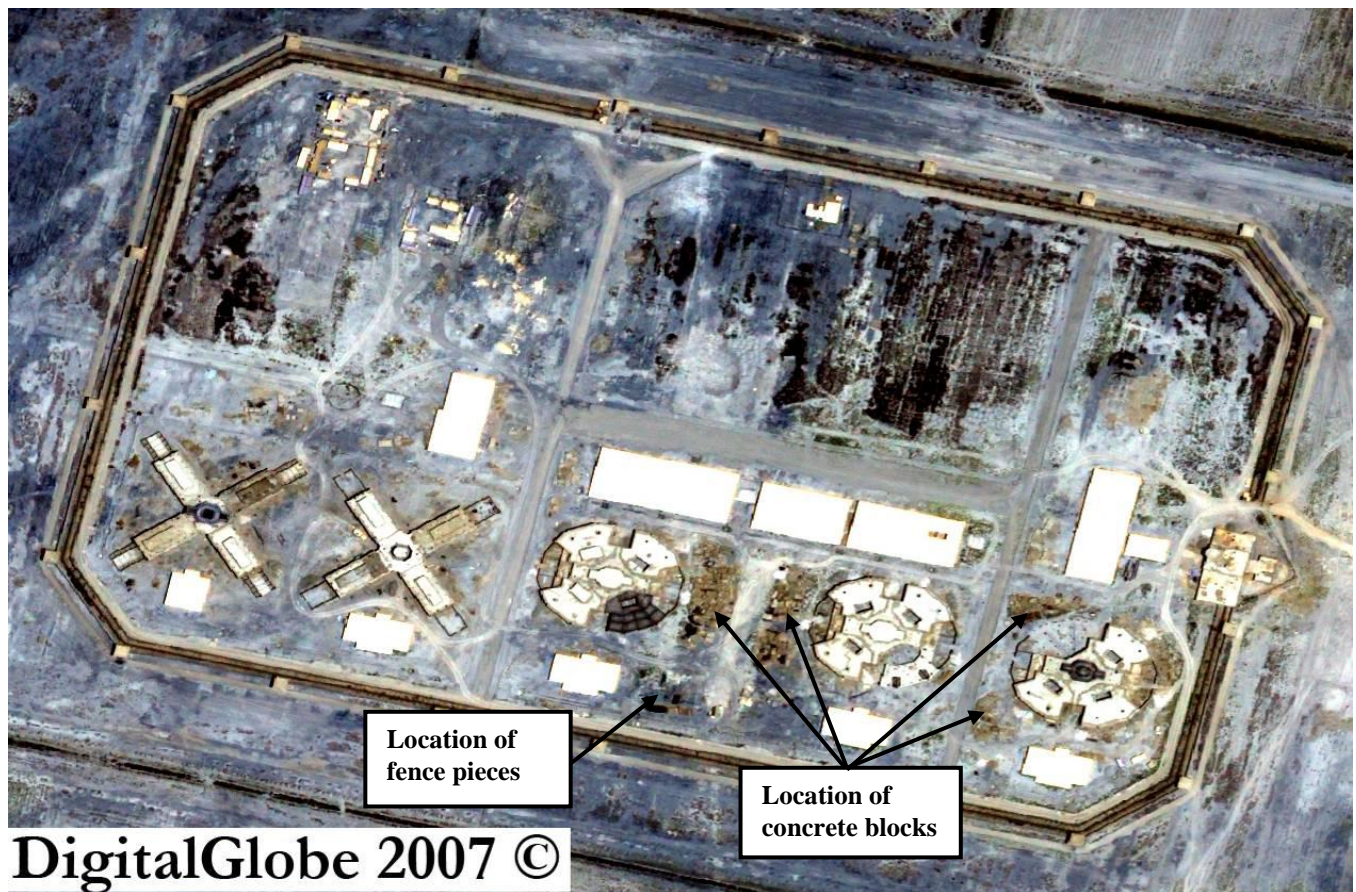
GRD provided an inventory list of materials reportedly left on site by the follow-on contractor after being terminated (Appendix C). However, GRD photographs from June 2007 do not support the claim that more than \$1.2 million of materials were left on site (Site Photo 20). Certain items, such as chain link fence and concrete blocks, are noticeable in the photo; however, there are five conex boxes on site, the contents of which could not be determined. What is not visible, which would not be stored within conex boxes, is the most expensive material on the list – gravel. According to the inventory document at the time of termination, 15,000 cubic meters worth of gravel, valued at \$600,000, was on site. There was no documentation available to confirm that GRD inventoried the actual materials on site.

In an effort to determine the amount and location of any unused materials, SIGIR, utilizing its Satellite Imagery department, found imagery from the time period (Aerial Image 1). The imagery also confirmed the absence of \$600,000 worth of gravel at the site.

SIGIR toured the entire KBS Correctional Facility site in search of the materials reportedly left on site when the contract was terminated. Numerous cement blocks (Site Photo 21) and bundles of chain link fencing were located (Site Photo 22). In SIGIR's opinion, the majority of the \$1.2 million in materials listed by the contractor as abandoned was either not delivered to the site or removed after the contract was terminated.



Site Photo 20. Aerial view of the KBS Correctional Facility from June 2007(Courtesy of the USACE)



Aerial Image 1. Satellite imagery of the KBS Correctional Facility from June 2007



Site Photo 21. Concrete blocks still on site at the KBS Correctional Facility



Site Photo 22. Pieces of chain link fence still at the KBS Correctional Facility site

Functional Portions of the Facility

During the site visit, SIGIR observed several facility components, such as the security fence and partially completely prefabricated buildings that could be put to use by the GOI.

Security Fence and Guard Towers

SIGIR requested an interior and exterior perimeter tour in order to determine the adequacy of the security fence and guard towers. The security fence encompasses the entire facility site with no observed gaps, holes, or disturbances. The security fence employed a two phase approach – exterior and interior. The exterior fence consisted of a concrete block base approximately 3 meters (m) high (Site Photo 23); while inside the exterior fence perimeter is two sets of chain link fence with razor wire (Site Photo 24). The first set of chain link fence provides an additional deterrent to the concrete fence (by

adding additional height), and the second set of chain link fence, approximately 4-m from the first fence, is another restraint.

SIGIR observed equally spaced guard/watch towers around the entire facility. The towers appeared to be approximately 7-m high and more than adequate to provide an adequate view of any approaching vehicles or people. Aside from minor vandalism (i.e. broken windows), the guard towers appeared to be in good working condition.



Site Photo 23. Exterior security fence and guard towers



Site Photo 24. Interior fence

Prefabricated Buildings

SIGIR observed several partially completed prefabricated buildings at the facility (Site Photo 25). SIGIR inspected one building and found the concrete foundation had been

poured, the steel superstructure constructed, and metal skin attached. The partially completed buildings appeared to be adequately constructed (Site Photo 26).

While not complete, the GoI should be able to make some functional use of the facilities.



Site Photo 25. Aerial view of KBS Correctional Facility (Courtesy of the USACE)



Site Photo 26. Interior of partially completed prefabricated building

Potential Uses for the Facility

SIGIR believes that effort should be made to make use of the \$40 million investment that the U.S. government has made in the Kahn Bani Sa'ad Corrections Facility. As previously noted, portions of the facility are functioning; other portions could be made use of with additional investment.

The site is large; encompassing approximately 550,000 square meters. It is surrounded by high, well constructed walls with 24 guard towers. The walls and guard towers are in good condition and provide the advantage of a very secure area inside the compound. The security provided by the high walls is a very positive characteristic for any intended use of the facility. The site is not near any village or population center, which also promotes security.

Inside the compound, there are several partially completed prefabricated buildings. These prefabricated buildings could be occupied and used with relatively little additional cost.

During the course of this assessment, the SIGIR inspection team was told that there was tentative interest in use of the facility by the Iraqi Ministries of Defense and Interior, as well as potentially as a Rule of Law Complex. The inspection team made numerous inquiries. No known action had been initiated by any Iraqi ministry to make use of the KBS facility at the time of our inspection.

This remote and secure location is consistent with its intended use as a prison. It would also be consistent with use as an Emergency Response Force base, an Iraqi Army base, an Iraqi Police Headquarters, or another facility with a similar purpose. It is unlikely that the facility would work as a Rule of Law Complex. It is too far away from Baqubah, the Provincial Government Center and the citizens of Baqubah.

The Provincial Reconstruction Team (PRT) program for Iraq is a U.S.-led, joint civil and military effort to help Iraq's provincial and local governments to govern effectively and deliver essential services. In route to the site assessment, SIGIR met with the Diyala PRT Security and Justice representatives, who expressed interest in the outcome of our inspection. The PRT representatives indicated that the Diyala governorate is currently dealing with a significant problem regarding the province's growing prison inmate population. Specifically, the existing prison was originally designed to accommodate approximately 200 to 250 inmates; however, due to the lack of alternative facilities, approximately 600 inmates are currently incarcerated in the prison. In addition, there are also smaller facilities throughout the province with another 600 detainees. SIGIR was told that overcrowding and health conditions in the existing prison were so grave that several inmates had died in the overcrowded facility.

Conclusions

The assessment reviewed the original work of Parsons and the work of the three additional contracts awarded to continue construction of the correctional facility—including rehabilitating the Kahn Bani Sa'ad electrical substation and installing an underground cable feeder line.

Structural Deficiencies

In May 2007, a local engineering assessment company performed a structural assessment and repair plan for the partially constructed Kahn Bani Sa'ad Correctional Facility. According to U.S. Army Corps of Engineers documentation, the facility had “numerous deficiencies in construction to include, but not limited to, poorly mixed concrete, insufficient cover over reinforcement, cracking, and poor concrete placement.”

The structural assessment found significant construction deficiencies in several buildings, including three medium-security buildings, one maximum-security building, and one prisoner-segregation building:

- In the medium-security buildings, SIGIR found low concrete strength in many columns and concrete slabs with insufficient thickness.
- The maximum security and prisoner segregation buildings had low concrete strength with respect to the concrete block walls, and no reinforcement bar was used in many parts of the wall.
- The structural assessment recommended demolishing one medium-security building and significant portions of the other two medium-security buildings, as well as demolishing all non-reinforced walls.

Turnover of the Correctional Facility

In June 2007, the U.S. government terminated the follow-on contractor and authorized leaving more than \$1.2 million worth of materials at the site. According to U.S. Army Corps of Engineers documentation, representatives met with and notified the Deputy Ministry of Justice of the turnover of the Kahn Bani Sa'ad Correctional Facility to the Ministry of Justice and to discuss the planned use of the facility before the turnover. The deputy minister stated that the Ministry of Justice had no plans to "complete, occupy, or provide security for this facility." The U.S. Army Corps of Engineers concluded that "subsequent to 1 August 2007, Kahn Bani Sa'ad will be under the ownership of the Government of Iraq and will no longer be secured."

Potential Uses for the Facility

SIGIR believes that effort should be made by the U.S. and Iraqi governments to make use of the \$40 million investment that the U.S. government has made in the Kahn Bani Sa'ad Corrections Facility. Costly portions of the facility are functioning, and with additional investment, other portions could also be used.

Recommendations

SIGIR recommends that the Commanding General of the Multi National Force-Iraq and the Director of the Iraq Transition Assistance Office work with the Government of Iraq and the Diyala Provincial Government to identify an Iraqi ministry or element of the Diyala Provincial Government that can make use of the facility.

Management Comments

SIGIR received comments on a draft of this report from the U.S. Mission-Iraq concurring with the recommendation. SIGIR also received comments from Multi-National Security Transition Command-Iraq that were sent through the Multi-National Force-Iraq concurring with the report and recommendation but requested that the Commanding General, MNF-I instead of the Commanding General, MNSTC-I and the Director of ITAO work with the Government of Iraq and the Diyala Provincial Government to identify an Iraqi ministry or element of the Diyala Provincial Government that can make use of the facility. SIGIR concurred with the management comments and changed the recommendations of the final report accordingly.

Evaluation of Management Comments

SIGIR concurred with the management comments and changed the recommendations of the final report accordingly.

Appendix A. Scope and Methodology

This project assessment was performed from June through July 2008 in accordance with the Quality Standards for Inspections issued by the President's Council on Integrity and Efficiency. The assessment team included a professional engineer/inspector and two auditors/inspectors.

In performing this Project Assessment SIGIR:

- Reviewed contract documentation to include the following: contract, contract modifications, bridge and follow-on contracts, contract documentation, and scopes of work;
- Reviewed the design package (drawings and specifications), contractor's quality control reports, and USACE quality assurance reports; and
- Conducted an on-site assessment and documented results at the Kahn Bani-Sa'ad Correctional Facility in Kahn Bani Sa'ad, Iraq.

Appendix B. USACE Ownership Transfer of the Kahn Bani Sa'ad Correctional Facility to the GoI



REPLY TO
ATTENTION OF

DEPARTMENT OF THE ARMY
U.S. ARMY CORPS OF ENGINEERS
GULF REGION DIVISION
BAGHDAD, IRAQ
APO AE 09348

CEGRD-11Q

24 July 2007

MEMORANDUM FOR: Iraq Transition Assistance Office

SUBJECT: Termination of Khan Bani Sa'ad Correctional Facility Project

1. The intent of this memorandum is to inform you that the Joint Contracting Command -- Iraq/Afghanistan issued a notice of termination to Khan Bani Sa'ad Correctional Facility prime contractors on 30 Jun 2007. The notice required the contractor to maintain security at the construction site until 31 Jul 2007.
2. United States Army Corps of Engineers met with the Iraqi Deputy Ministry of Justice to notify them of the turnover of the facility to the Ministry of Justice on 1 August 2007 and to discuss the planned use of the facility subsequent to that turnover. The Deputy Minister stated that the Ministry of Justice has no plans to complete, occupy or provide security for this facility. Therefore, subsequent to 1 August 2007, Khan Bani Sa'ad will be under the ownership of the Government of Iraq and will no longer be secured.
3. POC is CDR Johnny Wolfe at (703) 544-6797 or johnny.wolfe@pco-iraq.net.

A large, stylized handwritten signature in black ink, likely belonging to Michael J. Walsh, is positioned above the printed name and title.

MICHAEL J. WALSH
Brigadier General, USA
Commanding

Appendix C. Inventory of Materials Stored on Site at the KBS Correctional Facility

Inventory of Materials stored on KBS prison site

#	Description of materials	Quantity	UNIT	Cost/Unit	Amount
1	Sand	400	m3	40	16,000
2	Gravel	15000	m3	40	600,000
3	Cement	150	tons	200	30,000
4	Chicken wire for plaster	25	rolls	60	1,500
5	Agriculture PVC sheet	4	rolls	500	2,000
6	Steel reinforcement	9	Ton	1,000	9,000
7	Concrete block 20 cm	40000	No	1.0	40,000
8	Concrete block 10 cm	25000	No	0.70	17,500
9	BRC steel mesh	0	--	--	--
10	w/c concrete	600	No	25	15,000
11	Bar bide wire	25000	ML	1.0	25,000
12	Styrofoam	9	m3	250	2,250
13	Chain link fence(mesh+support & post)	(12000ML+ 1000 Post)	LS	100,000	100,000
14	Roofing concrete tiles	1800	PCS	5.0	9,000
15	Tar	20	Barrel	200	4,000
16	Flint coat	200	rolls	25	5,000
17	PVC pipe 10 inch	78	ML	50	3,900
18	PVC pipe 8 inch	480	ML	30	14,400
19	PVC pipe 6 inch	240	ML	20	4,800
20	PVC pipe 4 inch	3300	ML	10	33,000
21	PVC Elbow 90 degree 6 inch	840	PCS	60	50,400
22	PVC Elbow 45 degree 6 inch	960	PCS	60	57,600
23	PVC Elbow 90 degree 4 inch	840	PCS	30	25,200
24	PVC Elbow 45 degree 4 inch	920	PCS	30	27,600
25	PVC T- shape 6 inch	960	PCS	60	57,600
26	PVC T- shape 4 inch	1040	PCS	30	31,200
27	PVC Reducer from 4" to 3"	24	PCS	20	480
28	PVC Reducer from 6" to 4"	108	PCS	30	3,240
29	PVC Adapter 4"	1104	PCS	20	22,080
30	PVC Adapter 6"	672	PCS	40	26,880
31	PVC electrical pipe 20MM	2100	ML	1.0	2,100
TOTAL EXPECTED AMOUNT					1,236,730

Appendix D. Acronyms

CPA	Coalition Provisional Authority
GoI	Government of Iraq
GRD	Gulf Region Division
KBS	Kahn Bani Sa'ad
m	Meter
mm	Millimeter
MNF-I	Multi-National Force-Iraq
MNSTC-I	Multi-National Security Transition Command-Iraq
MoJ	Ministry of Justice
PRT	Provisional Reconstruction Team
SIGIR	Special Inspector General for Iraq Reconstruction
SOP	Standard Operating Procedure
TO	Task Order
USACE	U.S. Army Corps of Engineer

Appendix E. Report Distribution

Department of State

Secretary of State

Senior Advisor to the Secretary and Coordinator for Iraq

Director of U.S. Foreign Assistance/Administrator, U.S. Agency for
International Development

Director, Office of Iraq Reconstruction

Assistant Secretary for Resource Management/Chief Financial Officer,
Bureau of Resource Management

U.S. Ambassador to Iraq

Director, Iraq Transition Assistance Office

Mission Director-Iraq, U.S. Agency for International Development

Inspector General, Department of State

Department of Defense

Secretary of Defense

Deputy Secretary of Defense

Under Secretary of Defense (Comptroller)/Chief Financial Officer

Deputy Chief Financial Officer

Deputy Comptroller (Program/Budget)

Deputy Assistant Secretary of Defense-Middle East, Office of Policy/International
Security Affairs

Inspector General, Department of Defense

Director, Defense Contract Audit Agency

Director, Defense Finance and Accounting Service

Director, Defense Contract Management Agency

Department of the Army

Assistant Secretary of the Army for Acquisition, Logistics, and Technology

Principal Deputy to the Assistant Secretary of the Army for Acquisition,
Logistics, and Technology

Deputy Assistant Secretary of the Army (Policy and Procurement)

Commanding General, Joint Contracting Command-Iraq/Afghanistan

Assistant Secretary of the Army for Financial Management and Comptroller

Chief of Engineers and Commander, U.S. Army Corps of Engineers

Commanding General, Gulf Region Division

Chief Financial Officer, U.S. Army Corps of Engineers

Auditor General of the Army

U.S. Central Command

Commanding General, Multi-National Force-Iraq

Commanding General, Multi-National Corps-Iraq

Commanding General, Multi-National Security Transition Command-Iraq

Commander, Joint Area Support Group-Central

Other Federal Government Organizations

Director, Office of Management and Budget
Comptroller General of the United States
Inspector General, Department of the Treasury
Inspector General, Department of Commerce
Inspector General, Department of Health and Human Services
Inspector General, U.S. Agency for International Development
President, Overseas Private Investment Corporation
President, U.S. Institute for Peace

Congressional Committees and Subcommittees, Chairman and Ranking Minority Member

U.S. Senate

Senate Committee on Appropriations
 Subcommittee on Defense
 Subcommittee on State, Foreign Operations, and Related Programs
Senate Committee on Armed Services
Senate Committee on Foreign Relations
 Subcommittee on International Development and Foreign Assistance, Economic Affairs, and International Environmental Protection
 Subcommittee on International Operations and Organizations, Democracy and Human Rights
 Subcommittee on Near Eastern and South and Central Asian Affairs
Senate Committee on Homeland Security and Governmental Affairs
 Subcommittee on Federal Financial Management, Government Information, Federal Services, and International Security
 Subcommittee on Oversight of Government Management, the Federal Workforce, and the District of Columbia
Permanent Subcommittee on Investigations

U.S. House of Representatives

House Committee on Appropriations
 Subcommittee on Defense
 Subcommittee on State, Foreign Operations, and Related Programs
House Committee on Armed Services
 Subcommittee on Oversight and Investigations
House Committee on Oversight and Government Reform
 Subcommittee on Government Management, Organization, and Procurement
 Subcommittee on National Security and Foreign Affairs
House Committee on Foreign Affairs
 Subcommittee on International Organizations, Human Rights, and Oversight
 Subcommittee on the Middle East and South Asia

Appendix F. Multi-National Security Transition Command-Iraq

MNSTC-I concurs with the project assessment SIGIR PA-08-138, dated July 7, 2008, subject to resolution of the following CRITICAL comment:

CRITICAL COMMENT: The Recommendation that "...the Commanding General of MNSTC-I and the Director of ITAO work with the Government of Iraq to identify an Iraqi ministry or element of the Diyala Provincial Government that can make use of the facility"; to the effect that the recommendation calls for the CG MNSTC-I to engage in the disposition of the subject facility.

RATIONALE: MNSTC-I does not have visibility or reason to know of the facility requirements of the various ministries of the Government of Iraq; except for the Ministry of Defense (MOD) and the Ministry of Interior (MOI). Both MOD and MOI have indicated no desire to assume control and occupancy of the subject facility. Additionally, MNSTC-I has no visibility on or reason to know of the facility requirements of the Diyala Provincial Government.

PROPOSED COMMENT: That "...CG MNF-I and the Director of ITAO work with the Government of Iraq and the Diyala Provincial Government to identify an Iraqi ministry or element of the Diyala Provincial Government that can make use of the facility."

Appendix G. Project Assessment Team Members

The Office of the Assistant Inspector General for Inspections, Office of the Special Inspector General for Iraq Reconstruction, prepared this report. The principal staff members who contributed to the report were:

Todd Criswell, P.E.

Ginger Cruz

Angelina Johnston

Kevin O'Connor